



# Capitol Buildings Planning Commission

## **2004 ANNUAL REPORT**

*Legislative Council Service  
411 State Capitol  
Santa Fe, New Mexico*

CAPITOL BUILDINGS PLANNING  
COMMISSION  
2004 ANNUAL REPORT

# **CAPITOL BUILDINGS PLANNING COMMISSION 2004 ANNUAL REPORT**

## **TABLE OF CONTENTS**

ANNUAL REPORT

PROPOSED RECOMMENDATIONS FOR 2005 LEGISLATION

2004 AGENDAS AND MINUTES

# ANNUAL REPORT

# **CAPITOL BUILDINGS PLANNING COMMISSION ANNUAL REPORT**

**JANUARY 13, 2005**

## **Introduction**

The capitol buildings planning commission (CBPC) was created by the legislature in 1997 to study and plan for the long-range facilities needs of state government in Santa Fe. The statutory responsibility of the commission is to review prior long-range facilities needs assessments and develop an initial master plan for state facilities. The commission is also to annually update the master plan. In this regard, a master plan for state facilities in Santa Fe was completed in 2000. After initial steps were taken on the master plan during 2001, the commission has been following the recommended short-term moves as defined in phase II of the master plan updated for 2002. In response to legislative action, the commission's authority has been extended to Albuquerque, and the commission completed an initial data-gathering phase and facilities inventory for Albuquerque.

The commission is composed of 11 members, consisting of four members of the legislature, the secretary of general services, the property control division staff architect, the secretary of transportation, the secretary of cultural affairs, the secretary of finance and administration, the commissioner of public lands and the chairman of the supreme court building commission or their respective designees. Representative Ben Lujan, speaker of the house, and Ed Lopez, secretary of general services, co-chaired the commission.

The legislative council service, in coordination with the staff of the general services department (GSD), provides the staff for the commission.

The commission is pleased to submit its annual report to the legislature and the governor.

## **History and Status of Programs of Major Focus**

In 1999, the commission endorsed a bill to fund a master plan and a repair and replacement study. The initial process developed a long-range facilities master plan for all state agencies in Santa Fe, breaking the plan up into sub-master plans for the five main campuses identified at the time. Additionally, the initial study validated the existing long-range space needs plan and developed an inventory and evaluation of existing state-owned building systems and a plan for long-range repair, renovation and replacement with anticipated life-cycle rating schedule for existing state-owned buildings. The plan developed alternatives; strategies; site master plans identifying capital needs, costs and ongoing facility management requirements; and potential funding mechanisms to address one of the major considerations emerging from the initial master plan, which was to reduce the amount of space the state leased.

In 2001, the legislature, in response to the commission's work, authorized and funded two companion bills for the purpose of acquiring property and buildings in Santa Fe.

**Laws 2001, Chapter 166 (Senate Bill 182)** authorized the property control division (PCD) of GSD to acquire various office buildings and land in Santa Fe county for use as state office buildings as recommended in the master plan. The bill authorized the New Mexico finance authority (NMFA) to issue up to \$75 million in revenue bonds for the purchase of the properties.

Additionally, **Laws 2001, Chapter 199 (Senate Bill 214)** created a financing source for the state office building acquisitions in the State Office Building Acquisition Bonding Act.

This act earmarks distribution of state gross receipts tax, up to \$500,000 per month, to buy and build state office buildings, and authorized the NMFA to sell state office building tax revenue bonds to acquire the state office buildings authorized in Senate Bill 182. The NMFA issued the first series of the state building acquisition revenue bonds, totaling approximately \$34.7 million, on December 13, 2001.

Implementation of the provisions of Laws 2001, Chapter 166 and Laws 2001, Chapter 199 by the PCD and the NMFA continues to be in progress. The specific buildings and properties authorized to be acquired include:

#### **West Capitol Complex**

Project status: The building was renamed the Toney Anaya building and houses the regulation and licensing department and the aging and long-term services department.

#### **National Education Association (NEA) Building**

Project status: The acquisition was on schedule. NEA leased office space from the state and vacated the space in August 2004. The state engineer's office and the governor's office of homeland security occupy the building. The building was renamed the Concha Ortiz y Pino building in the summer of 2004.

#### **Purchase of Land on Cerrillos Road in Santa Fe, Located Adjacent to the District 5 Office of the Department of Transportation**

Project status: The 2004 legislature amended Laws 2001, Chapter 166 to expand the Jaguar road property definition. The amendments increased the available property that could be considered for purchase and required that necessary infrastructure be in place.

#### **Purchase of the Public Employees Retirement Association (PERA) Building**

Project status: The commission directed the co-chairs to proceed to determine the feasibility of pursuing negotiations with PERA. During the December 2004 meeting, a negotiating group was appointed from the commission to meet with a negotiating group from the PERA board. A meeting was held on January 3, 2005 to continue discussions regarding the purchase of the PERA building.

### **2004 Legislation Impacting the Work of the CBPC**

The legislature approved and the governor signed the following bills into law during the 2004 legislative session.

**Laws 2004, Chapter 63 (House Bill 545)** approved the sale of the labor department building in Santa Fe and authorized the proceeds of the sale to be used for the purchase on a new building.

**Laws 2004, Chapter 123 (Senate Bill 332)** grandfathered in cultural affairs projects that were authorized in 2003 using intercept funds for the state building bonding fund, but returned the purpose of the law to its original language from 2001. The bill also included amendments to Laws 2001, Chapter 166, in which the legislature authorized the purchase of several buildings such as the NEA building, the PERA building and the Jaguar road property. The amendments expanded the Jaguar road definition to increase the available property that could be considered, and the amendments required infrastructure to be in place. Also, the bill appropriated \$250,000 to provide for master plan funding and annual updates.

### **Other Areas of Concern**

Areas of concern and study addressed by the commission in 2004 include the following:

**Villagra Building:** The Villagra building shell, or exterior, is complete and the interior is under construction for tenant improvements. The attorney general's office is scheduled to relocate to the Villagra building in 2005. This relocation process should begin in late spring or early summer and be completed by the middle of the summer.

**Parking Needs in Santa Fe:** The limited parking in Santa Fe, especially in the downtown campus, continues to be an issue facing the commission. GSD implemented an interim parking plan by redesigning existing parking lots to create more spaces. A more permanent parking solution will continue to be studied, as will planning for a parking structure by the commission in 2005.

### **2004 Reports**

**RFP For Master Plan Consultant:** The commission was informed in June 2004 that the contract with the master plan consultant had reached the end of its four-year funding. Staff was directed to draft and issue an RFP. The RFP was issued, the commission interviewed two proposals and awarded the contract to Architectural Research Consultants-Dekker Perich (ARC) in September 2004.

**Department of Transportation Facility and Human Service Agencies "Supercomplex":** DOT and GSD each presented the commission with facility plans for a single location DOT facility and a "Supercomplex" to house state agencies that deal with human services. These facility plans would include a private/public collaboration to develop, design and construct these facilities and would include retail space. Both proposals are in the development stages. The commission stressed the importance that ARC be included in these development discussions to ensure that the plans are in line with the policies of the state and the direction of the Santa Fe master plan.

**Master Plans:** Following the master plan consulting contract being awarded to ARC, the

project organization, including a scope of work draft and a project schedule, was developed between the commission staff and ARC. The initial planning efforts focused on the Santa Fe master plan. The acquisition of the PERA property continues to be a top priority of the commission. ARC is in the process of identifying supply and demand factors and current office leases by the state in Santa Fe. ARC is currently conducting state agency interviews in Santa Fe and updating a database of Santa Fe facility occupancy and ownership. The focus of initial planning for the Albuquerque master plan will begin in early 2005.

Attachments:

2005 Proposed Legislative Initiatives

2004 Minutes: Capitol Buildings Planning Commission Meetings



PROPOSED  
RECOMMENDATIONS  
FOR 2005  
LEGISLATION

## **2005 PROPOSED LEGISLATIVE INITIATIVES**

- 1. Expand Bond Proceeds for Acquisition of Property and Construction of a Parking Structure.** The commission recognizes the limited office space available and the need to move quickly on the acquisition of office buildings. This legislation authorizes the property control division (PCD) of the general services department (GSD) to purchase, renovate, equip and furnish certain and existing office buildings in Santa Fe county. The acquisition of existing office buildings, not specified in the proposed legislation, is pursuant to the development of the master plan and subject to review by the commission.
- 2. Constitutional Amendment to Allow the State to Enter into Lease Purchase Agreements.** The commission proposed to amend the constitution of New Mexico to allow the state to enter into agreements for the leasing of buildings and other real property with an option to purchase. Provisions in the proposed legislation say the state has no legal obligation to continue the lease from year to year or to purchase the real property. Furthermore, a lease agreement shall be terminated if sufficient appropriations do not exist to meet lease payments.

underscored material = new  
[bracketed material] = delete

SENATE BILL

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

FOR THE CAPITOL BUILDINGS PLANNING COMMISSION

AN ACT

RELATING TO PUBLIC PROPERTY; AUTHORIZING THE PROPERTY CONTROL  
DIVISION OF THE GENERAL SERVICES DEPARTMENT TO EXPEND CERTAIN  
BOND PROCEEDS TO PLAN, DESIGN, CONSTRUCT AND EQUIP A PARKING  
STRUCTURE IN SANTA FE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Laws 2001, Chapter 166, Section 1, as amended  
by Laws 2004, Chapter 123, Section 6, is amended to read:

"Section 1. AUTHORIZATION TO ACQUIRE PROPERTY--  
APPROPRIATION.--

A. In order to acquire the following properties for  
use as state agency offices in Santa Fe county, the property  
control division of the general services department may:

(1) purchase and renovate, equip and furnish  
the national education association building on South Capitol

.152845.3

1 street;

2 (2) plan, design, construct, equip and furnish  
3 a new office building with integrated parking at the west  
4 capitol complex on Cerrillos road, pursuant to the design  
5 funded by Subsection I of Section 14 of Chapter 118 of Laws  
6 1998, at a price not to exceed twenty-five million dollars  
7 (\$25,000,000);

8 (3) purchase and renovate, equip and furnish  
9 the public employees retirement association building on Paseo  
10 de Peralta; and

11 (4) purchase land within or in close proximity  
12 to the public safety campus as set out in the capitol buildings  
13 master plan developed by the capitol buildings planning  
14 commission; provided that no land shall be purchased pursuant  
15 to this paragraph that does not have, in place, water, sewer,  
16 electricity and other necessary infrastructure.

17 B. In addition to the acquisitions authorized in  
18 Subsection A of this section, the property control division of  
19 the general services department may, pursuant to the capitol  
20 buildings master plan developed by the capitol buildings  
21 planning commission and after review by the commission  
22 plan, design, construct and equip a parking structure in the  
23 central capitol campus in Santa Fe.

24 ~~[B.]~~ C. The acquisitions of property pursuant to  
25 Subsection A of this section shall be made in the priority

.152845.3

1 order listed in that subsection. Purchases authorized in  
2 Paragraphs (1), (2) and (4) of Subsection A and in Subsection B  
3 of this section shall be made at a price not to exceed the  
4 value of the property established by the taxation and revenue  
5 department using generally accepted appraisal techniques for  
6 the type of property purchased. The purchase authorized in  
7 Paragraph (3) of Subsection A of this section shall be made at  
8 a price negotiated with the retirement board of the public  
9 employees retirement association that is not less than the fair  
10 market value of the property and building.

11 ~~[G-]~~ D. If state office building tax revenue bonds  
12 issued pursuant to Laws 2001, Chapter 166, Section 2, as  
13 amended by Laws 2004, Chapter 123, Section 7, are outstanding,  
14 then, as amounts become available in the property control  
15 reserve fund, as much of the property control reserve fund as  
16 is necessary to pay the debt service and other payments on the  
17 bonds plus any amount needed for any required reserves shall be  
18 transferred from the property control reserve fund to the state  
19 office building bonding fund.

20 ~~[D-]~~ E. If state office building tax revenue bonds  
21 have not been issued pursuant to Laws 2001, Chapter 166,  
22 Section 2, as amended by Laws 2004, Chapter 123, Section 7, or  
23 if the bonds have been issued but are no longer outstanding,  
24 then, as amounts become available in the property control  
25 reserve fund, as much of the property control reserve fund as

1 is necessary to comply with the provisions of [~~Subsection A~~]  
2 Subsections A and B of this section is appropriated to the  
3 property control division of the general services department  
4 for expenditure in fiscal year 2001 and subsequent fiscal  
5 years."

6 - 4 -  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE JOINT RESOLUTION

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

FOR THE CAPITOL BUILDINGS PLANNING COMMISSION

A JOINT RESOLUTION

PROPOSING TO AMEND THE CONSTITUTION OF NEW MEXICO TO ALLOW THE  
STATE TO ENTER INTO AGREEMENTS FOR THE LEASING OF BUILDINGS AND  
OTHER REAL PROPERTY WITH AN OPTION TO PURCHASE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. It is proposed to amend Article 9, Section 8  
of the constitution of New Mexico to read:

"A. No debt other than those specified in the  
preceding section shall be contracted by or on behalf of this  
state, unless authorized by law for some specified work or  
object; which law shall provide for an annual tax levy  
sufficient to pay the interest and to provide a sinking fund to  
pay the principal of such debt within fifty years from the time  
of the contracting thereof. No such law shall take effect  
until it shall have been submitted to the qualified electors of

.152846.2

1 the state and have received a majority of all the votes cast  
2 thereon at a general election; such law shall be published in  
3 full in at least one newspaper in each county of the state, if  
4 one be published therein, once each week, for four successive  
5 weeks next preceding such election. No debt shall be so  
6 created if the total indebtedness of the state, exclusive of  
7 the debts of the territory, and the several counties thereof,  
8 assumed by the state, would thereby be made to exceed one  
9 percent of the assessed valuation of all the property subject  
10 to taxation in the state as shown by the preceding general  
11 assessment.

12 B. For the purposes of this section and Article 4,  
13 Section 29 of the constitution of New Mexico, an agreement  
14 entered into by the state for the leasing of a building or  
15 other real property with an option to purchase is not a debt  
16 if:

17 (1) there is no legal obligation for the state  
18 to continue the lease from year to year or to purchase the real  
19 property; and

20 (2) the agreement provides that the lease  
21 shall be terminated if sufficient appropriations are not  
22 available to meet the current lease payments."

23 Section 2. The amendment proposed by this resolution  
24 shall be submitted to the people for their approval or  
25 rejection at the next general election or at any special



underscored material = new  
[bracketed material] = delete

1 election prior to that date that may be called for that  
2 purpose.

3 - 3 -  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

.152846.2

2004 AGENDAS  
&  
MINUTES

**TENTATIVE AGENDA**  
**for the**  
**CAPITOL BUILDINGS PLANNING COMMISSION**  
**January 14, 2004**  
**Room 317, State Capitol**

**Wednesday, January 14**

10:00 a.m.                      CALL TO ORDER

- Representative Ben Lujan, Speaker of the House
- Ed Lopez, Jr., Secretary, General Services Department (GSD)

APPROVAL OF MINUTES

STAFF RECOMMENDATIONS ON THE MASTER PLANNING PROCESS —  
PROCESS FOR ANNUALLY UPDATING MASTER PLANS FOR SANTA FE  
AND ALBUQUERQUE

- Bill Taylor, Director, Property Control Division (PCD), GSD
- Paula Tackett, Director, Legislative Council Service (LCS)

LEGISLATIVE RECOMMENDATIONS

PCD STATUS REPORT — AGENCY LOCATIONS AND RELOCATIONS

- Bill Taylor, PCD, GSD
- Villagra Building
- West Capitol
- La Villa Rivera

ANNUAL REPORT

- Paula Tackett, LCS

PUBLIC COMMENT

Revised: June 29, 2004

**TENTATIVE AGENDA  
for the  
CAPITOL BUILDINGS PLANNING COMMISSION**

**June 30, 2004  
Room 317, State Capitol**

**Wednesday, June 30**

10:00 a.m.                   CALL TO ORDER

- Representative Ben Lujan, Speaker of the House
- Ed Lopez, Jr., Secretary, General Services Department (GSD)

APPROVAL OF MINUTES

ADOPTION OF OPEN PUBLIC MEETINGS POLICY

UPDATE ON 2004 LEGISLATIVE SESSION

- Paula Tackett, Director, Legislative Council Service (LCS)

STATUS OF PROPERTY CONTROL DIVISION (PCD) PROJECTS

- Villagra Building
- Tri-Labs
- NEA Short-Term Report
- Agency Locations and Relocations
- Jaguar Road
- Parking Status Report
  - Bill Taylor, Director, PCD, GSD
  - Michael Bodelson, PCD, GSD

STATUS OF ALBUQUERQUE MASTER PLAN

- Request for Proposal (RFP) — Draft Review
  - Paula Tackett

UPDATE OF SANTA FE MASTER PLAN

- Status of Department of Transportation (DOT)
  - Rhonda Faught, Secretary, DOT
- Supercomplex
  - Ed Lopez, Jr.

PUBLIC COMMENT

**TENTATIVE AGENDA**  
**for the**  
**CAPITOL BUILDINGS PLANNING COMMISSION**  
**Emergency Meeting**  
**September 1, 2004**  
**Room 317, State Capitol**

**Wednesday, September 1**

9:00 a.m. CALL TO ORDER

- Representative Ben Lujan, Speaker of the House
- Ed Lopez, Jr., Secretary, General Services Department

APPROVAL OF THE MINUTES

EXECUTIVE SESSION (Pursuant to Section 10-15-1 NMSA 1978)

RETURN TO OPEN SESSION

**TENTATIVE AGENDA**  
**for the**  
**CAPITOL BUILDINGS PLANNING COMMISSION**  
**December 1, 2004**  
**Room 317, State Capitol**

**Wednesday, December 1**

10:00 a.m.                      CALL TO ORDER

- Representative Ben Lujan, Speaker of the House of Representatives
- Ed Lopez, Jr., Secretary, General Services Department

APPROVAL OF THE MINUTES

DEPARTMENT OF TRANSPORTATION — PRELIMINARY  
LONG-RANGE CONCEPTS

- Rhonda Faught, Secretary, Department of Transportation (invited)

2005 LEGISLATIVE PROPOSALS

- Montano Constitutional Amendment
  - Expansion of the GRT Intercept

REPORT ON THE STATUS OF THE MASTER PLAN ACTIVITIES

OTHER BUSINESS

PUBLIC COMMENT

**TENTATIVE AGENDA**  
**for the**  
**CAPITOL BUILDINGS PLANNING COMMISSION**  
**SPECIAL MEETING**  
**January 13, 2005**  
**Room 321, State Capitol**

**Thursday, January 13**

10:00 a.m. CALL TO ORDER

- Representative Ben Lujan, Speaker of the House of Representatives
- Ed Lopez, Jr., Secretary, General Services Department (GSD)

APPROVAL OF THE MINUTES

TRANSIT-ORIENTED DEVELOPMENT PROJECT UPDATE

- Rhonda Faught, Secretary, Department of Transportation (DOT)
- Toby Martinez, Project Manager, DOT

2005 LEGISLATIVE PROPOSALS AND DRAFT LEGISLATION

- Montano Constitutional Amendment (152846.1)
  - Expansion of the GRT Intercept (152845.2)
  - Other Legislation

PERA NEGOTIATION UPDATE

OTHER BUSINESS

PUBLIC COMMENT

**MINUTES  
of the  
CAPITOL BUILDINGS PLANNING COMMISSION**

**January 14, 2004  
State Capitol  
Santa Fe**

The meeting of the capitol buildings planning commission (CBPC) was called to order by Ben Lujan, speaker of the house of representatives and co-chair, on Wednesday, January 14, 2004, at 10:15 a.m. in room 317 of the state capitol.

**PRESENT**

- ◆ Representative Ben Lujan, Speaker of the House, Co-Chair
- ◆ Edward Lopez, Jr., General Services Department (GSD), Co-Chair
- ◆ Senator Joseph A. Fidel
- ◆ Stuart Ashman, Secretary, Department of Cultural Affairs (DCA)
- ◆ Michael Bodelson, Staff Architect, Property Control Division (PCD), GSD
- ◆ Rhonda Faught, Secretary, Department of Transportation (DOT)
- ◆ James Jimenez, Secretary, Department of Finance and Administration (DFA)
- ◆ Gina Maestas, Director, Administrative Office of the Courts (AOC)
- ◆ Patrick Lyons, Commissioner, State Land Office

**ABSENT**

- ◆ Representative Ted Hobbs
- ◆ Senator Stuart Ingle

**STAFF**

- ◆ Elizabeth Holmes, Legislative Council Service (LCS)
- ◆ Paula Tackett, Director, LCS
- ◆ Bill Taylor, PCD, GSD

Secretary Lopez and Speaker Lujan welcomed commission members. The minutes from the December meeting were approved.

**STAFF RECOMMENDATIONS ON THE MASTER PLANNING PROCESS —  
PROCESS FOR ANNUALLY UPDATING MASTER PLANS FOR SANTA FE AND  
ALBUQUERQUE**

Paula Tackett, director, LCS, said that staff had met with the consultants as directed by the commission to develop a master planning process for both Santa Fe and Albuquerque, since the commission must identify the tasks that need to be completed annually. Staff provided the commission with the following recommendations for an annual update:

1. update data from all agencies, especially growth factors, FTEs, effects from statutes such as agency reorganization and documentation of agency moves and needs;



2. identify land needed for acquisition and the authorization needed from the legislature to purchase this land;
3. ongoing course corrections based on directions from the commission; and
4. arrange to receive a briefing from the DFA capital budget committee on projects proposed for Santa Fe and Albuquerque to ensure that the master plan is being tracked, or to make necessary course corrections to master plans.

Staff also requested that the commission establish the process and procedures to administer the master plan, recommending that the primary planning staff support should be from the PCD to support plan administration and review the plan as directed by the commission. It is recommended that the commission request an appropriation to be used to hire a consultant to assist with the updating of the master plan, provide objective information, assist the staff in identifying planning issues and to analyze and make recommendations regarding long-range planning as appropriate and directed. This appropriation should span at least two fiscal years.

Additionally, staff recommended that the staff of LCS and PCD work together to prepare for commission meetings, develop agendas with the chairmen, coordinate schedules, develop any necessary packets for the meetings and draft the annual report. Both staffs should serve as the liaisons between the commission and the consultant.

Lastly, it was recommended that the commission establish regular quarterly meetings, times and agendas. Staff should provide status updates and outline issues related to implementation of the master plans, and meeting agendas should include agency updates, planning decisions and legislative recommendations.

Ms. Tackett reminded the commission that it directed staff to develop a proposal on conducting a comprehensive master plan for state agencies in Albuquerque. ARC/Dekker, Perich conducted a preliminary inventory of the facilities in Albuquerque. A comprehensive master plan would require an appropriation of \$250,000 and is a key "next step". This comprehensive planning scope would include:

- an in-depth inventory of all the existing facilities and a verification and validation of the earlier supply/demand analysis;
- development of agency projections on FTEs and services and any expansion of services that need to be accounted for;
- identification of any potential that may exist to improve services to the public by co-locating state agencies; and
- a determination whether Albuquerque is appropriate for the development of state campuses, including any sites where it might be appropriate, and for the development of proposed strategies for long-range planning for the commission to consider, including items related to consolidation, leasing, acquisition and construction.

The commission was requested to provide staff with its recommendations on how to proceed with the development of the master plan and the needed appropriation. A goal of the master planning process for Albuquerque is to provide the commission with potential strategies on how to deal with the Albuquerque area and state agency use there. The commission would then review these strategies and determine the best course of action. Ms. Tackett said that if an appropriation is approved by the commission, staff could then develop the request for proposal (RFP) for the completion of the master plan.

Mr. Taylor recommended that this money be appropriated to the LCS to expedite the process. Speaker Lujan suggested the money come from the gross receipts tax intercept that has not been utilized.

Secretary Lopez told the commission that the lease expenses in Albuquerque are similar to those of Santa Fe. Currently, the state owns two functional buildings in the Albuquerque area, and most of the office space is leased. Secretary Lopez was of the opinion that if the Albuquerque master planning process was open to an RFP, an appropriation of \$250,000 would be too high for a master plan. Speaker Lujan clarified for the commission that the Albuquerque master plan and Santa Fe master plan had different scopes. He suggested that the potential appropriation include both the Albuquerque master plan and Santa Fe master plan update. Secretary Jimenez agreed. The commission directed staff to take the appropriation out of the intercept piece and draft the bill as directed by the commission.

## **LEGISLATIVE RECOMMENDATIONS**

Ms. Tackett reported on the proposed legislation to be endorsed by the commission during the upcoming 2004 legislative session. In 2003, the commission endorsed an appropriation bill to request the retirement of bonds used to renovate the old state library. This would return \$1 million a year to the capitol buildings repair fund (CBRF) currently pledged to debt service and would save the state over \$4.6 million in interest and fees. The commission discussed the bond issuance date, the rate at the time of issuance and the possibility of refinancing. Pat McHenry of GSD reported that the maturity date for the bonds is 2015 for the CBRF and the payback would be approximately \$7 million. Secretary Lopez and Secretary Faught were of the opinion that the commission should look into refinancing the bonds as an alternative option. Speaker Lujan suggested that the commission look into a 10-year bond option and authorize the legislation contingent upon the potential savings. Staff was directed to meet with the New Mexico finance authority (NMFA) and explore options that would not require a general fund appropriation and report back to the co-chairs. The commission approved a motion to allow the co-chairs to proceed with whatever decision is necessary and the most cost-efficient.

The commission endorsed legislation to amend the authorization language on Jaguar road. It would expand language more generally to the properties contiguous to the district five office of the state DOT and the department of public safety. Secretary Faught said this legislation falls in line with the goals of DOT campus planning.

The commission endorsed legislation to restore the State Office Building Acquisition Bonding Act to its original language and grandfather-in projects that began under the 2003 legislation. Secretary Lopez feels this is a fair compromise because it closes the floodgates that the 2003 legislation opened and relieves the general fund of an additional obligation. He further recommended the legislation because he feels it moves the CBPC in the direction of state ownership versus leasing. Gina Maestas, director of AOC, inquired how this policy would affect the magistrate courts' leased facilities.

The commission endorsed an appropriation from the surplus of the gross receipts intercept to the Albuquerque and Santa Fe master plans to address funding for planning, ongoing updates and administration.

The commission endorsed a concept that would use money from the severance tax permanent fund as construction financing for state buildings. This proposal would avoid a hit to the general fund by not paying any debt service until the agencies move into the new building and the state realizes corresponding rental savings. Under the plan, the severance tax permanent fund would be used as construction financing to build new buildings and, presumably, equip and prepare buildings so that agencies could move in and the rental savings would begin before bonds are issued by the NMFA. Then, the building bonds would be issued, the proceeds would be used to pay back the severance tax permanent fund (with market interest) and the gross receipts tax revenue would be used to pay the debt service on the bonds.

The commission endorsed legislation to seek authorization from the legislature to sell the Aspen building that houses the labor department. The sale would be at market value and the proceeds would be used to construct or purchase a suitable building on the southside of Santa Fe.

## **PROPERTY CONTROL DIVISION STATUS REPORT**

Bill Taylor, PCD, reported on several buildings around the Santa Fe area.

### **Villagra**

The Villagra building is scheduled to be completed in May 2004. The attorney general's office and the cultural affairs department are scheduled to occupy this building. Parking continues to be an issue around the Villagra building and PCD is exploring possible solutions to meet the goals of the master plan.

### **The West Capitol Complex**

Agencies scheduled to move into the building are the regulation and licensing department, boards and commissions and the aging and long-term services department. The commission for the blind has refused an offer to run the proposed cafeteria. An alternative agency placement is being explored that would relocate the motor vehicle division (MVD) to this 5,000 square-foot space. Secretary Jimenez endorsed this proposal because of the current budget difficulties that MVD is facing and the elimination of the high lease may help.

**La Villa Rivera**

The Indian affairs department and the aging and long-term services department have moved out. Additional agency relocations are contingent upon the acquisition of the PERA building.

**ANNUAL REPORT**

The commission reviewed the annual report and recommended that the 2004 legislative initiatives be updated before the CBPC hearing before the legislative finance committee.

**UPDATE FROM THE SECRETARY OF TRANSPORTATION**

Secretary Faught provided the commission with a summary of the DOT's campus needs. She was in favor of placing the department in one location and eliminating leased space, and reminded the commission that her department is not under GSD jurisdiction. The department will not seek money from the legislature but will use the money saved from leased space to explore different options. Secretary Faught said these options are in their infancy and are beginning to be explored. Preliminary talks have taken place with a private company to construct a new building on DOT's campus that would be leased with an option to buy. The department is looking at parking facility overflow and looking to supplement its budget with federal funds. Speaker Lujan told the commission that although DOT is not under GSD, DOT is a state agency in Santa Fe and he looks forward to including DOT in the long-range planning of the master plan, which is the responsibility of this commission.

The meeting adjourned at 11:50 a.m.

**MINUTES  
of the  
CAPITOL BUILDINGS PLANNING COMMISSION**

**June 30, 2004  
State Capitol  
Santa Fe**

The meeting of the capitol buildings planning commission (CBPC) was called to order by Representative Ben Lujan, co-chair, and Ed Lopez, Jr., co-chair, on Wednesday, June 30, 2004, at 10:15 a.m. in room 317 of the state capitol.

**PRESENT**

- ◆ Representative Ben Lujan, Speaker of the House, Co-Chair
- ◆ Edward Lopez, Jr., Secretary of General Services, Co-Chair
- ◆ Senator Joseph A. Fidel
- ◆ Representative Ted Hobbs
- ◆ Senator Stuart Ingle
- ◆ Stuart Ashman, Secretary of Cultural Affairs
- ◆ Michael Bodelson, Staff Architect, Property Control Division (PCD), General Services Department (GSD)
- ◆ Rhonda Faught, Secretary of Transportation
- ◆ Karen Janes, for Gina Maestas, Administrative Office of the Courts (AOC)
- ◆ James Jimenez, Secretary of Finance and Administration
- ◆ Gina Maestas, Director, AOC
- ◆ Duffy Rodriguez for Commissioner Patrick Lyons, State Land Office (SLO)

**STAFF**

- ◆ Greg Geisler, Legislative Finance Committee (LFC)
- ◆ Elizabeth Holmes, Legislative Council Service (LCS)
- ◆ Linda Kehoe, LFC
- ◆ Pat McHenry, GSD
- ◆ Paula Tackett, Director, LCS

Secretary Lopez and Speaker Lujan welcomed commission members. The minutes from the January meeting were approved, and the commission adopted the open public meetings resolution.

**UPDATE ON 2004 LEGISLATIVE SESSION**

Paula Tackett, director of LCS, summarized the legislation endorsed by the commission that passed the 2004 legislative session. House Bill 545 (Laws 2004, Chapter 63) approved the sale of the labor department (LD) building in Santa Fe and authorized the proceeds of the sale to be used for the purchase of a new building. Senate Bill 332 (Laws 2004, Chapter 123) grandfathered in cultural affairs projects that were authorized in 2003 using intercept funds for the state building bonding fund, but returned the purpose of the law to its original language from 2001. The bill also included amendments to Laws 2001, Chapter 166, in which the legislature authorized the purchase of several buildings such as the NEA, PERA and Jaguar road. The

amendments expanded the Jaguar road definition to increase the available property that could be considered and required infrastructure to be in place. Lastly, the bill appropriated \$250,000 to provide for master plan funding and annual updates.

Speaker Lujan asked about the status of the LD building. Secretary Lopez reported that the LD will be relocated; however, a new space is not yet available. The LD building has not been appraised but an appraisal contract is in the process of being approved. Speaker Lujan shared with the commission his concern that the LD appraisal process may mirror the problems encountered with the NEA appraisal.

## **STATUS OF PROPERTY CONTROL DIVISION (PCD) PROJECTS**

Michael Bodelson, staff architect of PCD, reported on several buildings around the Santa Fe area.

### **Villagra Building**

Mr. Bodelson informed the commission of the completion of the new wing of the Villagra building and that the old portion of the building is now in the interior design stage. The attorney general's office (AG) is scheduled to occupy the new wing in late 2004 or early 2005 and a consultant has been hired for the internal design. Senator Fidel wondered what other occupants are scheduled to occupy the Villagra building. Secretary Lopez said the cultural affairs department (CAD) is a potential candidate depending upon an AG opinion. Speaker Lujan reminded the commission that demolition is taking place in the old part of the building but the necessary historic renovations will require more time and money.

### **Tri-Labs**

Secretary Lopez reminded the commission that the Tri-Labs original design included four labs. The department of health's science lab at the university of New Mexico (UNM), the office of the state medical investigator and the veterinary diagnostic services division make up the Tri-Labs project. The cost for construction of a new lab is \$70 million. The desired location of the new lab is on UNM's campus. While GSD awaits an acceptance or refusal from UNM, a realtor has been hired to locate an alternative location. Secretary Lopez told the commission the design for the Quad-Lab was modified for the Tri-Labs and no more money will be spent on the design phase of the project. Mr. Bodelson mentioned that the Tri-Labs concept is being used as a model.

### **NEA Short-Term Report**

Mr. Bodelson said the NEA acquisition is moving smoothly and is on schedule. NEA is leasing office space (the first floor) from the state and is scheduled to vacate in early August. The commission was informed that the state engineer's office occupies the second floor.

### **Agency Locations and Relocations**

Most relocations are taking place at the west capitol campus and consist of space adjustments. The new building at west capitol houses the regulation and licensing department and the aging and long-term services department. The old metropolitan court building in

Albuquerque is occupied by a motor vehicle division field office and the retiree health care authority also plans to move to that facility.

### **Parking Status**

Mr. Bodelson told the commission that GSD has implemented an interim parking plan until a more permanent solution can be accomplished. Existing parking lots are being redesigned to create more spaces. The DeVargas lot, north of the Bataan building, has the potential to include 46 more spaces. However, the ownership of the lot is in question between the city and state. The NEA parking lot will be level grade and re-striped and the west DeVargas lot, near the Bataan building, will be re-striped at an angle to increase parking space. Discussion also centered on gated visitor lots, employee lots and visitor use of parking meters.

Secretary Lopez said GSD is concerned about legislator and employee parking because the Veterans' memorial is being constructed there on the north side of the Bataan building. Secretary Lopez told the commission that GSD hopes to address a long-term parking solution during the 2005 legislative session.

Representative Hobbs voiced his concern regarding complaints from legislative staff who are unable to find parking during the legislative session. Discussion turned to the parking problems employees and the public face during legislative sessions. Commission members discussed gated parking lots for employees that would be open to the public after working hours. However, Senator Ingle reminded the commission that the legislative session is paid for by the public and gated parking lots often give the wrong impression to the public that the legislative process is inaccessible. Rhonda Faught, secretary of the transportation, agreed with Senator Ingle and suggested the commission focus on alternative short-term solutions, such as a parking shuttle and opening up parking spaces at the PERA parking lot. Speaker Lujan requested that the commission seek options on parking by including input from public and private entities on how to accommodate more public parking. He also indicated that the solution to the parking problem should be balanced between the parking needs of the public and employees.

Mr. Bodelson informed the commission that PCD is ready to move forward with the temporary solutions, and the new Villagra building has 89 parking spaces.

### **STATUS OF ALBUQUERQUE MASTER PLAN**

Ms. Tackett asked commission members to review the request for proposal (RFP) for master planning services for Albuquerque, and provide their comments to LCS or PCD. She explained the LCS received funding for the RFP on behalf of CBPC, in cooperation with PCD, and the draft is based on the original RFP for Santa Fe. Ms. Tackett suggested the commission focus on the scope of the work. On questions from Secretary Lopez, the commission learned that ARC's contract has reached the end of its four-year funding.

Secretary Lopez reminded the commission that continuation of the Albuquerque master plan is important because of the state's policy to move away from leasing space and toward owning office space for state agencies.

Speaker Lujan suggested that annual updates for the Santa Fe master plan be included in the scope of work of the RFP, which sets the guidelines for the Albuquerque master plan. The commission agreed to offer its feedback to LCS and PCD two weeks following the CBPC's June meeting.

Upon questions from staff, Secretary Lopez asked staff to review the master plan in terms of the changes in the law vis-a-vis Jaguar road. The commission authorized staff to finalize and issue the RFP.

Speaker Lujan asked for clarification of the state process to sell property, specifically in the case of the LD building. Secretary Lopez responded by saying PCD generally relies on owners rather than hiring a realtor. The first step is for the owners to make it known to PCD what property is available. Next, PCD conducts an evaluation and site selection that must be approved by the state board of finance. Secretary Lopez informed the commission that an RFP requirement is not needed because real property is unique.

#### **STATUS OF SANTA FE MASTER PLAN**

Secretary Faught provided the commission with a department of transportation (DOT) update. DOT is working with GSD to develop an RFP to include a public/private collaboration. The private sector would offer planning, development and construction of the selected site. Secretary Faught informed the commission that DOT is spread over 56 locations and would like to locate all offices in one space. She also mentioned DOT's desire to stay in its current location.

Speaker Lujan voiced concern for the potential displacement of DOT employees if located to one site. Secretary Faught explained that DOT wants to set an example through the establishment of a DOT complex. Secretary Lopez suggested the issue be revisited after the commission has reviewed the proposal.

Discussion was then held on a proposed supercomplex. The design concept is funded (\$1.8 million) and includes a complex that would house agencies that deal with human needs, such as the children, youth and families department (CYFD), department of health (DOH), human services department (HSD) and LD. The complex would be in partnership with the private sector. The complex's master plan would include child care and retail space in the same location. Mr. Bodelson said the supercomplex would provide economic benefits and promote operational efficiencies. It could also eliminate leased space from CYFD and open up space in the Runnels building. The issue was raised regarding lease space and those agencies that receive a three-to-one match from the federal government if in leased space, specifically HSD, and that those same agencies may have to stay in leased space.

Secretary Lopez said the target location for the supercomplex would include infrastructure with commuter access. Potential sites are near the Santa Fe community college (SFCC). In addition, the state investment officer, Gary Bland, has indicated an interest in participating.



Secretary Lopez noted that state agencies currently lease 319,000 square feet of space and own 150,000 square feet. With the supercomplex, the state would own approximately 469,000 square feet of agency office space. He also mentioned that the sale of the LD building could be used to help fund the supercomplex.

Senator Ingle raised several issues regarding the location of the supercomplex. He inquired as to the ownership of the land near SFCC and if space was available. Also, he inquired about the legality of private investors owning space in the supercomplex, such as restaurants. Senator Ingle requested figures on maintenance costs of state-owned property. Senator Fidel and Representative Hobbs requested a cost analysis for the design and construction of the supercomplex. Speaker Lujan suggested that the accessibility of the supercomplex be closely studied and Senator Fidel warned of the potential difficulties that may arise when requesting large appropriations from the legislature.

#### **PUBLIC COMMENT**

The commission took public comment from the owners of office space leased by the state. The owners offered to collaborate with the state on future master plan projects.

The meeting adjourned at 12:25 p.m.

**MINUTES  
of the  
CAPITOL BUILDINGS PLANNING COMMISSION**

**September 1, 2004  
State Capitol  
Santa Fe**

The meeting of the Capitol Buildings Planning Commission (CBPC) was called to order by Ben Lujan, speaker of the house of representatives, co-chair, on Wednesday, September 1, 2004, at 9:20 a.m. in room 317 of the State Capitol.

**PRESENT**

- ◆ Representative Ben Lujan, Speaker of the House, Co-Chair
- ◆ Edward Lopez, Jr., General Services Department (GSD), Co-Chair
- ◆ Senator Joseph A. Fidel
- ◆ Representative Ted Hobbs
- ◆ Senator Stuart Ingle
- ◆ Stuart Ashman, Secretary, Cultural Affairs Department
- ◆ Louise Baca, for Gina Maestas, Administrative Office of the Courts
- ◆ Michael Bodelson, Staff Architect, Property Control Division, GSD
- ◆ Tom Church, for Rhonda Faught, Secretary, Department of Transportation
- ◆ Duffy Rodriguez, for Commissioner Patrick Lyons, State Land Office
- ◆ Debbie Romero, for James Jimenez, Secretary, Department of Finance and Administration

**STAFF**

- ◆ Elizabeth Holmes, Legislative Council Service (LCS)
- ◆ Linda Kehoe, Legislative Finance Committee
- ◆ Paula Tackett, Director, LCS

Speaker Lujan welcomed commission members. The minutes of the June meeting were approved.

The commission moved to meet in executive session pursuant to Section 10-15-1 NMSA 1978 for the purpose of interviewing the short list of respondents to the request for proposal (RFP) for master planning services.

After reconvening in open session, the commission specified that the matters discussed in the executive session were limited to those specified in the motion for closure. The commission rated the master plan consultant services on a 1,000-point scale. The ratings were based on:

- prior experience with governmental facilities master planning (200 points);
- specialized design and technical competence of the business, including a joint venture or association, regarding the type of services required (200 points);

- capacity and capability of the business to perform the work, including any specialized services, within the time limits (200 points);
- past record of performance on contracts with government agencies and private industry with respect to such factors as control of costs, quality of work and ability to meet schedules (including references for current and past projects that are similar to this project) (200 points);
- evidence of understanding of the scope of work, the various pertinent state-owned sites and existing conditions (100 points); and
- cost (100 points).

Staff was directed to average the commission members' rating sheets for each consultant and award the RFP to the consultant with the highest average score.

The meeting adjourned at 12:25 p.m.

**MINUTES  
of the  
CAPITOL BUILDINGS PLANNING COMMISSION**

**December 1, 2004  
State Capitol  
Santa Fe**

The meeting of the capitol buildings planning commission (CBPC) was called to order by Ben Lujan, speaker of the house of representatives and co-chair, and Secretary Ed Lopez, Jr., of the general services department on Wednesday, December 1, 2004, at 10:20 a.m. in room 317 of the state capitol.

**PRESENT**

- ◆ Representative Ben Lujan, Speaker of the House, Co-Chair
- ◆ Edward Lopez, Jr., General Services Department (GSD) and Co-Chair
- ◆ Representative Ted Hobbs
- ◆ Michael Bodelson, Staff Architect, Property Control Division (PCD), GSD
- ◆ Rhonda Faught, Secretary, Department of Transportation (DOT)
- ◆ Duffy Rodriguez, for Commissioner Patrick Lyons, State Land Office (SLO)
- ◆ Jeff Varela, for Gina Maestas, Administrative Office of the Courts (AOC)

**ABSENT**

- ◆ Senator Joseph A. Fidel
- ◆ Senator Stuart Ingle
- ◆ Stuart Ashman, Secretary, Cultural Affairs Department (CAD)
- ◆ James Jimenez, Secretary, Department of Finance and Administration (DFA)

**STAFF**

- ◆ Elizabeth Holmes, Legislative Council Service (LCS)
- ◆ Linda Kehoe, Legislative Finance Committee (LFC)
- ◆ Paula Tackett, Director, LCS

Speaker Lujan and Secretary Ed Lopez, Jr., co-chairs, welcomed commission members. The minutes from the September meeting were approved.

Rhonda Faught, secretary of transportation, and Vince Martinez of DOT provided the commission with an overview of DOT's facilities. Currently, DOT leases four separately located spaces, causing inefficiencies in the operation of the department. It is the desire of DOT to consolidate its facilities on its current site off Cerrillos and Cordova.

Secretary Faught briefed the commission on a new transit concept, known as the transit oriented design. This facility consolidation is being developed in larger urban areas around the country. Although Santa Fe is not considered an urban area, it fits the prototype for the transit oriented design concept because of the large number of state employees who commute to Santa

Fe. The concept would create a mixed-use environment around transportation sites and would include public-private redevelopment. Secretary Faught said that the concept is in its early stages of development. Global-RTKL, with offices in Dallas, has been hired to assist with developing options. A major component of the development stage is to determine DOT's market value.

Upon questions from Secretary Lopez, the commission learned that the appraisal of DOT's property should be completed by the end of the year. Secretary Lopez also suggested that Global-RTKL work with architectural research consultants (ARC) to ensure that the transit oriented design is incorporated into the master plan. Representative Hobbs inquired why a local firm was not hired to develop DOT's design. Secretary Faught informed the commission that there are no local firms specializing in transit oriented development that could meet the department's extremely tight time frame.

Speaker Lujan suggested DOT look at the land south of Alta Vista street and determine the number of FTEs that would be working at that location. He also said it might be beneficial to construct more buildings in the area south of Alta Vista street. Secretary Faught said DOT is working on determining what facilities need to be downtown and what facilities can be moved to another site.

Paula Tackett, director of LCS, and Gary Carlson, LCS staff, presented the commission with two legislative proposals for GSD. Mr. Carlson provided the commission with the legal background to the Montano case, in which the courts ruled that lease purchase agreements are unconstitutional debts. Staff was directed to draft a constitutional amendment for discussion. Speaker Lujan reminded the commission that lease purchase agreements were standard practice before the court case and should be discussed during the legislative session. The second legislative proposal is to expand the gross receipts tax (GRT) intercept by giving the PCD of GSD general authority to purchase existing office buildings with bond proceeds. Staff was directed to draft legislation that would authorize such purchase in compliance with the master plan.

Ms. Tackett discussed the issue of parking in the capitol area during the legislative session. The commission will request an appropriation for a parking structure in the downtown area. Secretary Lopez said that GSD wants the flexibility to build a parking structure that is in reasonable walking distance from the capitol. Jeff Varela, AOC, praised GSD for the reconfiguration of the NEA parking lot, which provided more parking space, and suggested that the commission also look at additional parking space on the south side of the PERA lot. The commission asked staff to draft a proposal to be presented at the January meeting. Representative Hobbs asked that the agreed-upon proposal and resolution be published, so as to inform the legislative staff and session employees.

Ms. Tackett reported on the status of the master plan. The commission first discussed the acquisition of the PERA building and the history of the state attempting to purchase PERA. Ms. Tackett explained that she had contacted Mr. Varela, in his capacity as president of the PERA

board, to develop some options that would address the concerns of PERA. Ms. Tackett said it was made clear by PERA that if it were to sell its property, it would like to remain in the main capitol complex and would request a space with adequate parking. Staff proposed three options to proceed with the negotiations. The commission decided to appoint a small group from the commission to negotiate with the PERA board. It was indicated that Mr. Varela had appointed a small group from the PERA board. The CBPC group appointed includes Bill Taylor, PCD, Debra Moll, general counsel for GSD, Ms. Tackett, Secretary Lopez or his designee and Speaker Lujan or his designee. Secretary Lopez requested information on the final appraisal of the PERA building. Terry Slattery, executive director of PERA, said that the appraisal was completed in October and came to \$23.5 million with contingencies.

Discussion of the master plan continued. The project organization was developed, with a draft scope of work and a schedule for the project based on a meeting with LCS and GSD representatives. This resulted in a letter from LCS to commence work, pending the development of a formal contract. The focus of initial planning efforts is the Santa Fe area, with the Albuquerque master plan to begin in January 2005.

Ms. Tackett told the committee that two meetings were held to discuss project scope and inventory and analysis information. The first meeting included GSD, PCD and LCS, and project and project identification issues were discussed. The second meeting included LFC, GSD and LCS, and capital funding issues with state facilities in Santa Fe and Albuquerque were discussed.

Discussion turned to the identification of supply and demand factors. Current leasing issues and trends are being identified, as are leases in Santa Fe. Changes in state-owned facilities are being identified. A database of current Santa Fe facility occupancy and ownership is being updated during agency interviews currently taking place. In identifying demand factors, a draft questionnaire for all state agencies in Santa Fe is being developed to update "demand" information. ARC, the master plan consultant, is in the process of collecting contact information and scheduling interviews with state agencies. Priority will be given to agencies with identified potential planning issues, like DOT and the human services "Supercomplex".

Secretary Lopez stressed the importance of ARC being included in DOT's transit oriented development project. Secretary Faught suggested the "Supercomplex" also be identified as a stop in the rail of the transit oriented development project.

The meeting adjourned at 12:00 noon.

**UNAPPROVED  
MINUTES  
of the  
CAPITOL BUILDINGS PLANNING COMMISSION**

**January 13, 2005  
State Capitol  
Santa Fe**

A special meeting of the capitol buildings planning commission (CBPC) was called to order by co-chairs Ben Lujan, speaker of the house, and Secretary Ed Lopez, Jr., of the general services department on Thursday, January 13, 2005 at 10:15 a.m. in room 321 of the state capitol.

**PRESENT**

- ◆ Representative Ben Lujan, Speaker of the House, Co-Chair
- ◆ Edward Lopez, Jr., General Services Department (GSD), Co-Chair
- ◆ Representative Ted Hobbs
- ◆ Stuart Ashman, Secretary, Cultural Affairs Department (CAD)
- ◆ Michael Bodelson, Staff Architect, Property Control Division (PCD), GSD
- ◆ Dannette Burch for James Jimenez, Secretary, Department of Finance and Administration (DFA)
- ◆ Rhonda Faught, Secretary, Department of Transportation (DOT)
- ◆ Patrick Lyons, Commissioner, State Land Office (SLO) and Duffy Rodriguez for Commissioner Lyons, SLO
- ◆ Jeff Varela for Gina Maestas, Administrative Office of the Courts (AOC)

**ABSENT**

- ◆ Senator Joseph A. Fidel
- ◆ Senator Stuart Ingle

**STAFF**

- ◆ Greg Geisler, Legislative Finance Committee (LFC)
- ◆ Elizabeth Holmes, Legislative Council Service (LCS)
- ◆ Pat McHenry, GSD
- ◆ Bill Taylor, GSD
- ◆ Paula Tackett, Director, LCS

Speaker Lujan and Secretary Lopez, co-chairs, welcomed commission members. The minutes from the December meeting were approved.

Toby Martinez, project manager of DOT, updated the commission with an overview of DOT's transit-oriented development. Mr. Martinez told the commission that because this development requires the private sector's collaboration, DOT has inquired about private

developers' interest in the project. Mr. Martinez said that private developers have become more interested in the project upon learning that the state project may be able to bypass the city of Santa Fe's zoning and planning process and enter into a 99-year lease. Rhonda Faught, secretary of DOT, said DOT will continue to gather input from the city and the public. The commission voiced its concerns about the size of the multilevel parking structure concept, as well as about the residential space that is included in the transit-oriented development plan.

Secretary Faught reminded the commission that the transit-oriented development plan is in its preliminary stages. Stuart Ashman, secretary of cultural affairs, inquired if an archeological repository could be included in the development. Secretary Faught suggested that DOT and the commission study the possibility of locating the archeological repository at DOT's district offices. The commission was informed that DOT would entertain any ideas from the commission during this process and will continue to update the commission regularly.

Gary Carlson, contract drafter for LCS, and Paula Tackett, director of LCS, briefed the commission on the two proposed 2005 legislative initiatives. The first initiative is a joint resolution drafted specifically for the Montano decision. It would allow the state to enter into agreements for the leasing of buildings and other real property with an option to purchase. Provisions in the proposed amendment provide that the state has no legal obligation to continue the lease from year to year or to purchase the property. Furthermore, a lease agreement shall be terminated if sufficient appropriations do not exist to meet lease payments. The commission adopted the legislation, in concept, with technical changes as necessary.

Mr. Carlson and Ms. Tackett provided the commission with an overview of the second legislative initiative. This legislation would authorize PCD to purchase, renovate, equip and furnish certain and existing office buildings in Santa Fe county. The acquisition of existing office buildings, not specified in the proposed legislation, would be pursuant to the development of the master plan and subject to review by the commission. The commission was informed by Secretary Lopez that the governor is not, at this time, in favor of the broad building space definition; however, he is in favor of the parking structure concept. The commission endorsed the legislation, in concept, for the parking structure only.

Ms. Tackett summarized the draft CBPC annual report. The commission was told that changes to the annual report and the proposed legislation would be made according to its direction before the annual report was presented to LFC. Secretary Lopez informed the commission that GSD and the governor would seek legislation to change the time limit for paying lease costs for La Villa Rivera from fiscal year 2005 to fiscal year 2008.

Ms. Tackett and Susan Pittard of the public employees retirement association (PERA) board reported on the positive meeting between the commission negotiating team and the PERA board negotiating team regarding the state's purchase of PERA property in the downtown area. PERA voiced its desire to stay in the main capitol complex. While these talks are preliminary, several concepts were discussed and legislation may be forthcoming before the end of the upcoming legislative session.

The commission adjourned at 11:00 a.m.